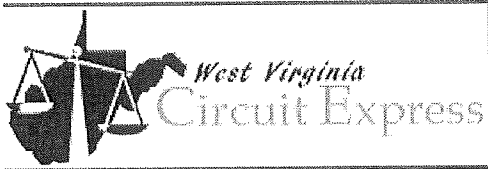


EXHIBIT A



Civil

Case Information

Tenth Judicial Circuit of Raleigh County

17-C-289

Judge: JOHN A. HUTCHISON

SHERRI LEE JOHNSON SHUMATE VS. LOWE'S HOME CENTERS, LLC

Plaintiff(s)

SHUMATE, SHERRI LEE

Plaintiff Attorney(s)

ANTHONY SALVATORE

Defendant(s)

LOWE'S HOME CENTERS

Defendant Attorney(s)

N/A

Date Filed: 05/22/2017

Case Type: MISCELLANEOUS CIVIL

Appealed: 0

Final Order Date: N/A

Statistical Close Date: N/A

<u>Line</u>	<u>Date</u>	<u>Action / Result</u>
0001	05/22/2017	CASE FILED - ISSUED SUMMONS ALONG W/ COMPLAINT, FORWARDED TO SOS
0002		FOR SERV. DP (JED)
0003	06/05/2017	REC ACCEPTANCE FROM SEC OF STATE ON BEHALF OF LOWES HOME CENTER
0004		5/26/17. MBS (AMY)

These materials have been prepared by the Office of the Clerk of the various Circuit Courts from original sources and data believed to be reliable. The information contained herein, however, has not been independently verified by the Office of the Clerk or Software Computer Group, Incorporated. The Office of the Clerk of the Circuit Courts and Software Computer Group, Inc. assume no liability for the accuracy, completeness, or timeliness of the information contained herein.

Software Computer Group | PO Box 27 | Fraziers Bottom WV 25082

Office of the Secretary of State
Building 1 Suite 157-K
1900 Kanawha Blvd E.
Charleston, WV 25305



Mac Warner
Secretary of State
State of West Virginia
Phone: 304-558-6000
886-767-8683
Visit us online:
www.wvsos.com

Paul H Flanagan
Raleigh County Courthouse
215 Main Street
Beckley, WV 25801-4688

RALEIGH COUNTY
RECEIVED AND FILED

JUN - 5 2017

PAUL H FLANAGAN
CIRCUIT CLERK

Control Number: 195979

Defendant: LOWE'S HOME CENTERS, LLC
209 West Washington Street
Charleston, WV 25302 US

Agent: Corporation Service Company

County: Raleigh

Civil Action: 17-C-289

Certified Number: 92148901125134100002090019

Service Date: 5/26/2017

I am enclosing:

1 summons and complaint

which was served on the Secretary at the State Capitol as your statutory attorney-in-fact. According to law, I have accepted service of process in your name and on your behalf.

Please note that this office has no connection whatsoever with the enclosed documents other than to accept service of process in your name and on your behalf as your attorney-in-fact. Please address any questions about this document directly to the court or the plaintiff's attorney, shown in the enclosed paper, not to the Secretary of State's office.

Sincerely,

A handwritten signature in cursive script that reads "Mac Warner".

Mac Warner
Secretary of State

SUMMONS

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

SHERRI LEE JOHNSON SHUMATE,

PLAINTIFF,

V.

CIVIL ACTION NO. 17 - C - 289-H

LOWE'S HOME CENTERS, LLC,

DEFENDANT

To the Above Named Defendant:

LOWE'S HOME CENTERS, LLC
Corporation Service Company
209 West Washington Street
Charleston, WV 25302

ACCEPTED FOR
SERVICE OF PROCESS
2017 MAY 26 P 1:56
SECRETARY OF STATE
STATE OF WEST VIRGINIA

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon Anthony M. Salvatore, **plaintiff's** attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon **plaintiff's** attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 22, 2017

Paul H. Hagan
Clerk of Court

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

RALEIGH COUNTY
RECEIVED AND FILED

SHERRI LEE JOHNSON SHUMATE

PLAINTIFF,

V.

MAY 22 2017
PAUL H FLANAGAN
CIRCUIT CLERK

CIVIL ACTION NO. 17 - C - 289-H

LOWE'S HOME CENTERS, LLC,

DEFENDANT.

COMPLAINT

1. Plaintiff Sherri Lee Johnson Shumate is a resident of Fayette County, West Virginia.

2. Defendant Lowe's Home Centers, LLC (hereinafter "Lowe's"), is a corporation authorized to do business in Beckley, Raleigh County, West Virginia.

3. Plaintiff bought several gallons of "CABOT Australian Timber Oil for Decks" stain from Defendant Lowe's at their Beckley, West Virginia location on or about April 11, 2016.

4. Plaintiff read the instructions on the can and began to stain her deck after pressure washing the same.

5. Plaintiff worked for over a period of several hours. She wore open-toed shoes with no socks.

6. Plaintiff applied the product with a paint mop and pump spray as directed.

7. The product was used outside in an area of excessive ventilation.

8. Plaintiff wore gloves on her hands.

9. Plaintiff began to notice burning and irritation to her feet the next day. She went to her family physician, Dr. Hassan Jafary. No stain was ever sprayed on or splashed on her feet.

10. In the days following, her condition became worse and she was referred to a dermatologist.

11. Plaintiff's skin on her feet blistered, cracked, bled, and was falling off.

12. The product used by Plaintiff was manufactured by CABOT, Wheeling, Illinois and was distributed by Defendant Lowe's.

13. The product was not adequately labeled and/or did not contain proper safety warnings/instructions.

14. In the alternative, the product was defective, either by design or manufacturing. Plaintiff has a sample of the product.

15. Plaintiff has been damaged by the product sold by Defendant Lowe's.

16. Plaintiff has been proximately caused to suffer injuries and pain and suffering as detailed herein.

17. Plaintiff has been proximately caused to incur medical bills in the past and future medical bills are expected.

18. As a direct and proximate result of the product exposure, Plaintiff has been injured permanently.

19. Plaintiff prays for relief of and from Defendant Lowe's, as Defendant Lowe's is liable for the distribution of this product to the Plaintiff.

WHEREFORE, Plaintiff prays for relief for damages detailed herein and any other relief that is deemed appropriate.

PLAINTIFF

BY COUNSEL

HEWITT & SALVATORE, PLLC

Anthony M. Salvatore (WVSB # 7915) *by Greg A. Hewitt*
204 N. Court Street
Fayetteville, WV 25840
Ph. 304-574-0272
Fax: 304-574-0273

S:\PI\4593\4593COMPLAINT.docx

SUMMONS

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

SHERRI LEE JOHNSON SHUMATE,

PLAINTIFF,

V.

CIVIL ACTION NO. 17 - C - 289-H

LOWE'S HOME CENTERS, LLC,

RALEIGH COUNTY
DEFENDANT. RECEIVED AND FILED

MAY 22 2017
PAUL H FLANAGAN
CIRCUIT CLERK

To the Above Named Defendant:

LOWE'S HOME CENTERS, LLC
Corporation Service Company
209 West Washington Street
Charleston, WV 25302

IN THE NAME OF THE STATE OF WEST VIRGINIA: You are hereby summoned and required to serve upon Anthony M. Salvatore, **plaintiff's** attorney, whose address is **204 NORTH COURT ST., FAYETTEVILLE, WEST VIRGINIA 25840**, an answer, including any related counterclaim or defense you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is hereby delivered to you. You are required to serve your written answer with the Clerk of this Court, and with a copy of said answer served upon **plaintiff's** attorney within **THIRTY (30)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above-styled civil action.

Dated: May 22 2017

Paul H Flanagan
Clerk of Court

**CIVIL CASE INFORMATION STATEMENT
CIVIL CASES**

In the Circuit Court of Raleigh County, West Virginia

RALEIGH COUNTY
RECEIVED AND FILED

I. CASE STYLE

Plaintiffs:

Sherri Lee Johnson Shumate,
c/o Anthony M. Salvatore, Esq.
Hewitt & Salvatore, PLLC
204 N. Court Street
Fayetteville, WV 25840

MAY 22 2017
PAUL H FLANAGAN
CIRCUIT CLERK

Case # 17-C-289

JUDGE Skutumpah

v.

Defendants:

Days to
Answer

Type of Service

LOWE'S HOME CENTERS, LLC
Corporation Service Company
209 West Washington Street
Charleston, WV 25302

30

Sec of State

Original and three (3) copies of COMPLAINT furnished herewith.

PLAINTIFF(S): Sherri Lee Johnson Shumate DEFENDANT(S): Lowe's Home Centers, LLC	CIVIL ACTION NO.
--	------------------

II. TYPE OF CASE:

TORTS	OTHER	CIVIL
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Adoption	<input type="checkbox"/> Appeal from Magistrate Ct
<input type="checkbox"/> Professional Malpractice	<input type="checkbox"/> Contract	<input type="checkbox"/> Petition for Modification of Magistrate Sentence
<input type="checkbox"/> Personal Injury	<input type="checkbox"/> Real Property	<input type="checkbox"/> Miscellaneous Civil
<input type="checkbox"/> Product Liability	<input type="checkbox"/> Mental Health	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Other Tort	<input type="checkbox"/> Appeal of Administrative Agency	

III. JURY DEMAND: ☒ Yes ☐ NoCASE WILL BE READY FOR TRIAL BY (MONTH/YEAR): **April 2018**

IV. DO YOU OR ANY OF YOUR CLIENTS OR WITNESSES IN THIS CASE REQUIRE SPECIAL ACCOMMODATIONS DUE TO A DISABILITY OR AGE? ☐ YES ☐ NO
IF YES, PLEASE SPECIFY:

- ☐ Wheelchair accessible hearing room and other facilities
☐ Interpreter or other auxiliary aid for the hearing impaired
☐ Reader or other auxiliary aid for the visually impaired
☐ Spokesperson or other auxiliary aid for the speech impaired
☐ Other: _____

Attorney Name: Anthony M. Salvatore, Esq.

Firm: HEWITT & SALVATORE, PLLC

Address: 204 N. COURT ST., FAYETTEVILLE, WV 25840
 Telephone: (304) 574-0272

Representing:

- ☒ Plaintiff ☐ Defendant
☐ Cross-Complainant ☐ Cross-Defendant

Dated: May 22, 2017

Signature